## Exhibit D

## Case 1:12-cv-00042-NDF Document 76-5 Filed 04/29/13 Page 2 of 2

From:	Michael Plake <mjplake@gmail.com></mjplake@gmail.com>		
Sent:	Sunday, September 25, 2011 4:36 PM		
To: Subject: Attach:	Brenda Phillips <brenda.phillips@ht-llc.com> Re: Contract P&amp;A Retainer Agreement.doc</brenda.phillips@ht-llc.com>		
		Hello Brenda	a,
I have attac	hed the retained search agreement that you requested.		
Michael gr	24, 2011 at 12:40 PM, Brenda Phillips < <u>Brenda.Phillips@ht-llc.com</u> > wrote: eetings, thanks for your call. If you could please shoot me a copy of a retained search agreement will et up to speed on that. Thanks.		
	illips□ ech General Counsel illips@ht-Ilc.com□		
Franklin, 7 615-309-7	Dr., Suite 210 N 37067□ 7411 (office)□ 9882 (cell)□		
and CONF. addressed recipient o or the info	e-mail, any attachments and any email string of which this email is a part may contain PRIVILEGED IDENTIAL information and is intended only for the use of the specific individual(s) to whom it is . Your receipt of this e-mail is not intended to waive any applicable privilege. If you are not an intended of this e-mail, you are hereby notified that any unauthorized use, dissemination or copying of this e-mail ormation contained in it or attached to it is strictly prohibited. If you have received this e-mail in error, ete it and immediately notify the person named above by telephone. Thank you.		
indicated of be used, b	compliance with requirements imposed by the IRS, we must inform you that, unless specifically otherwise, this message (including any attachments) was not intended or written to be used, and cannot by the addressee or any other person for the purpose of (A) avoiding U.S. Tax-related penalties or (B), marketing or recommending to another party any tax-related matter addressed herein.		

Michael J. Plake Plake and Associates 765-414-3816